



TO: Mayor & Council
FROM: Mark Miller, City Administrator
RE: March 15, 2012 Council Meeting

COUNCIL REPORT

3/15/12

II.

Approval of Agenda

- I. Call to order at 6:30 P.M. - Roll call of members
- II. Approval of Agenda
- III. Approval of Minutes - March 1, 2012 Regular Council Meeting
March 8, 2012 Special Council Meeting
- IV. Mayor - Welcome of guests and public comment, 3 minute limit, no action
- V. Consent Agenda
 - A. Expenditures
 - B. Tax Abatements
- VI. Hearings, Ordinances and Resolutions
 - A. Public Hearing and first reading of a proposed Ordinance adopting a gas and electric franchise fee
 - B. Consideration and second reading of a proposed Ordinance providing for increased water rates and increased sewer rates, and amending section 13.18.050(B) and 13.04.391 of the Norwalk Municipal Code
 - C. Consideration and third reading of a proposed Ordinance approving the position of City Manager for the City of Norwalk
 - D. Resolution approving a Loan Agreement and providing for the sale and issuance of \$1,095,000 General Obligation Emergency Equipment Bonds, Series 2012A, and providing for the levy of taxes to pay the same
 - E. Resolution approving a Loan Agreement, providing for the sale and issuance of \$2,835,000 General Obligation Refunding Bonds, Series 2012B, approving an Escrow Agreement in connection with the issuance and providing for the levy of taxes to pay the same
 - F. Resolution ordering construction of certain public improvements, approving preliminary plans, fixing a date for hearing thereon and taking of bids therefore for improvements known as the City of Norwalk Fiber Optic Installation project
- VII. Current Business

- A. Discussion / approval of the purchase of a hydraulic chair lift for the Norwalk Aquatic Center

VIII. Reports

Mayor

Murillo

Curtis

Delker

Leto

Sylvester

City Administrator

Development Services Director

Public Works Director

City Clerk

Police Chief

Fire Chief

Library Director

Parks & Recreation Director

IX. Adjournment

COUNCIL REPORT **3/15/12** **III.**

3/15/12

III.

Approval of Minutes – March 1, 2012 Regular Council Meeting
March 8, 2012 Special Council Meeting

REGULAR COUNCIL MEETING 3-01-12

The Regular City Council Meeting of the Norwalk City Council was held at the Norwalk City Hall, 705 North Avenue, on Thursday, March 1, 2012. The meeting was called to order at 6:30 P.M. by Mayor Doug Pierce. Those present at roll call were Mike Leto, Jamie Sylvester, Eric Delker and Frank Curtis. Absent: Dave Murillo.

12-047 Motion by Curtis and seconded by Delker **to approve the Agenda.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

12-048 Motion by Delker and seconded by Sylvester **to approve the Minutes of the February 16, 2012 Regular Council meeting.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

The mayor welcomed those guests present. The public portion of the meeting was opened with no one wishing to speak. With none forthcoming, the business portion of the meeting was opened.

The **Consent Agenda** includes Tax abatements; Liquor license for Legacy Golf and expenditures:

A C CONTRACTORS	BUILDING MAINT	\$169.65
ANDY MOGLE	AWARDS BANQUET	\$342.00
BOBS CUSTOM TROPHIES	ENGRAVING	\$153.50
BRICKS FOR KIDZ	AFTER SCHOOL PROG	\$280.00
BRIMEYER FURSMAN	RECRUITMENT SVCS	\$5,400.00
CAPITAL SANITARY SUP	SUPPLIES	\$438.58
CARPENTER UNIFORM	UNIFORM ALLOW	\$541.65
CASH	PETTY CASH	\$50.00
CITY BRAKE & IMPORT	REPAIR # 34	\$317.96
CITY LAUNDERING CO	MAINTENANCE	\$73.75
CONSTRUCTION & AGGR	EQUIPMENT	\$931.85
CONTROL INSTALLATIONS	BUILDING REPAIR	\$93.83
D M WATER WORKS	DMWW	\$832.82
ELLIOTT EQUIPMENT	EXTEND CLAW	\$325.00
FASTENAL	SUPPLIES	\$164.21
G & L CLOTHING	CLOTHING ALLOW	\$142.03
GARY WIEDMANN	LABOR AND MATERIAL	\$6,800.00
GOPHER SPORT	OPER SUPPLIES	\$1,043.91
GRAINGER	SAFETY SUPPLIES	\$477.68
HARLAND TECHNOLOGY	HP BARCODE PRINT	\$409.00
HOLMES CHEVROLET	REPAIR	\$351.79
HOTSY CLEANING SYS	EQUIPMENT	\$599.72
IACP	MEMBERSHIP	\$120.00
RECORD HERALD	SUBSCRIPTIONS	\$14.60
INDOFF INC	SUPPLIES	\$94.80
IOWA DEPT OF PUBLIC	REGISTRATION	\$105.00
IOWA ONE CALL	LOCATES	\$106.90
IA POLICE CHIEFS ASSOC	2012 MEMBERSHIP	\$75.00
IOWA RADIOLOGY	TESTING	\$36.00
IOWA RURAL WATER	MEMBERSHIP DUES	\$350.00
IOWA WINDOW SVC	WINDOW CLEANING	\$295.00
JAMES OIL COMPANY	FUEL	\$12,471.72

KELTEK INC	VEHICLE REPAIR	\$163.73
KOCH BROTHERS	MAINT AGREE 2012	\$6,273.90
KUEHL, NANCY	CRAFT CLUB	\$71.50
MANAGER PLUS	SOFTWARE	\$2,244.00
MATHESON LINWELD	SUPPLIES	\$56.15
MEDIACOM	TELECOM	\$109.95
MENARDS	VEHICLE OPERATIONS	\$74.07
MERCY SCHOOL OF ER	EDU/TRAINING	\$10.00
MPH INDUSTRIES	EQUIPMENT	\$2,209.00
MUNICIPAL SUPPLY	MXU	\$3,199.50
MURPHY TRACTOR EQUIP	EQUIPMENT	\$210.00
N WARREN TOWN & CTY	MINUTES 2/16/12	\$164.30
NORTHLAND	VEHICLE OPERATIONS	\$396.25
NORWALK SCHOOLS	TRANSPORTATION	\$192.75
OPTOMETRIC ASSOC	EYE GLASSES #975	\$250.00
OREILLY AUTO PARTS	REPAIR	\$175.96
OUR DESIGNS	EQUIPMENT	\$238.04
PROGRESSIVE MED INTL	EQUIPMENT	\$419.76
PURCHASE POWER	POSTAGE	\$500.00
RAFE ALBERS	CLOTHING ALLOW	\$104.92
SECURITY EQUIP	EQUIPMENT	\$480.00
SHRED IT	BLDG MAINT	\$61.56
SPRINGER PEST SOL	MAINTENANCE	\$68.00
TASER INTL	TRAINING	\$917.00
TERMINIX	MAINTENANCE	\$60.00
DES MOINES REGISTER	SUBSCRIPTIONS	\$17.41
TOMPKINS INDUSTRIES	VEHICLE REPAIR	\$197.00
TREAS, CITY HALL	MACLAC ANNUAL	\$250.00
TRUCK EQUIPMENT	REPAIR # 34	\$42.50
TYLER TECHNOLOGIES	WEBSITE SUPPORT	\$115.00
USA BLUE BOOK	SUPPLIES	\$54.45
VANWALL POWERSPORTS	POLARIS RANGER	\$27.15
VERIZON WIRELESS	CELL PHONE SERVICE	\$2,465.56
WADES AUTO GLASS	REPAIR # 10	\$40.00
WARREN CO EXTENSION	EDUCATION COURSE	\$35.00
WESTVOLD, KIRK	CLOTHING ALLOW	\$269.24
ZIEGLER	924 LOADER	\$807.70
GRAND TOTAL		\$56,579.30

12-049 Motion by Curtis and seconded by Leto **to approve the Consent Agenda.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

The next item on the Agenda is a Public Hearing for the approval of the 2012-2013 fiscal year budget for the City of Norwalk. Mayor Pierce opened and closed the Public Hearing.

12-050 Motion by Delker and seconded by Sylvester **to adopt a Resolution approving the 2012-2013 fiscal year budget for the City of Norwalk at a tax levy rate of \$15.69 per \$1000 valuation. The levy is \$.65 less than the current fiscal year's budget.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (Resolution No. 0301-12-13)

12-051 Motion by Sylvester and seconded by Leto **to adopt a Resolution taking additional action to enter into a loan agreement and setting the date of**

March 15, 2012 for the sale of general obligation emergency equipment bonds series 2012A. Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (Resolution No. 0301-12-14)

12-052 Motion by Delker and seconded by Curtis **to adopt a Resolution approving the sale of general obligation refunding bonds series 2012B.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (Resolution No. 0301-12-15)

12-053 Motion by Delker and seconded by Leto **to adopt a Resolution approving Revenue Public Purpose Statement for use or expenditure of gas and electric franchise fee revenues toward public safety, including the equipping of fire, police and emergency services.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (Resolution No. 0301-12-16)

12-054 Motion by Curtis and seconded by Sylvester **to adopt a Resolution approving contract and bond for the Norwalk Business Center pond improvements project to Elder Corporation Construction.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (Resolution No. 0301-12-17)

12-055 Motion by Delker and seconded by Curtis **to remove from table a proposed Ordinance providing for increased water rates and increased sewer rates, and amending section 13.18.050(B) and 13.04.391 of the Norwalk Municipal Code.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

12-056 Motion by Curtis and seconded by Sylvester **to pass a proposed Ordinance providing for increased water rates and increased sewer rates, and amending section 13.18.050(B) and 13.04.391 of the Norwalk Municipal Code. The proposed Ordinance allows for a combined increase of 10% for each of the next three fiscal years.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (first reading)

12-057 Motion by Curtis and seconded by Leto **to pass a proposed Ordinance approving the position of City Manager for the City of Norwalk.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo. (first reading)

12-058 Motion by Sylvester and seconded by Delker **to approve a municipal buildings use policy for the City of Norwalk.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

12-059 Motion by Curtis and seconded by Sylvester **to approve an exclusive listing agreement with Hubbell Commercial brokers, L.C. d/b/a CBRE/Hubbell Commercial as amended to remove the payment of escrow**

fees by the City of Norwalk. Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

12-060 Motion by Delker and seconded by Sylvester **to approve March 15, 2012 as the Public Hearing date and first reading of a proposed franchise fee Ordinance.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

The next item on the Agenda is discussion of a potential dog park within the City of Norwalk. Parks and Recreation Director, Nancy Kuehl will take the concept to the Park and Rec Board meeting. No action taken.

12-061 Motion by Delker and seconded by Sylvester **to adjourn the meeting.** Approved 4-0. Ayes: Leto, Sylvester, Delker and Curtis. Nays: none. Absent: Murillo.

Doug Pierce, Mayor

Jeff Rosien, City Clerk

SPECIAL COUNCIL MEETING 3-08-12

The Special City Council Meeting of the Norwalk City Council was held at the Norwalk City Hall, 705 North Avenue, on Thursday, March 8, 2012. The meeting was called to order at 6:30 P.M. by Mayor Doug Pierce. Those present at roll call were Mike Leto, Eric Delker and Frank Curtis. Absent: Dave Murillo and Jamie Sylvester.

12-062 Motion by Leto and seconded by Delker **to pass a proposed Ordinance approving the position of City Manager for the City of Norwalk.** Approved 3-0. Ayes: Leto, Delker and Curtis. Nays: none. Absent: Murillo and Sylvester. (second reading)

12-063 Motion by Delker and seconded by Curtis **to adjourn the meeting.** Approved 3-0. Ayes: Leto, Delker and Curtis. Nays: none. Absent: Murillo and Sylvester.

Doug Pierce, Mayor

Jeff Rosien, City Clerk

Item A: Expenditures

This item is on the Agenda for the approval of payment.

Item B: Tax Abatements

The following tax abatement applications have been submitted for approval. The paperwork is in order and I recommend approval.

Cedarbrooke Place Apts I, LLLP	2503 Cedar St	Comm	\$7,038,194
Cedarbrooke Place Apts I, LLLP	2507 Cedar St	Comm	\$7,038,194
Cedarbrooke Place Apts I, LLLP	2511 Cedar St	Comm	\$7,038,194

Public Hearing and first reading of a proposed Ordinance adopting a gas and electric franchise fee

The purpose of this session is to receive any input regarding the franchise fee effort we are now starting. I have forwarded information on to Mid American for their review as we do need their blessing as well, but that is not a part of this meeting on Thursday. The Mid Am rep may be present but he has another meeting in NE Iowa the same night, but may come to the next meeting in April.

The purpose is very clear, very straight forward.

I have heard nothing else about a petition, since Denny Isley called and nothing else has been received by the City on the topic. The only caveat to all of this and this is a concern I hope for all of us is that with so few people voting in an election it does make a petition drive fairly easy to accomplish. A town of over 9K, growing, and doing many things should incent voters to get out, and maybe last year was the perfect storm with no pre election forums, only three running for three seats, and no real "big news" stuff out there, but again that is not germane to this topic except it makes a petition easy to accomplish.

The ordinance prepared by City Attorney Jim Dougherty will be up for first reading and then the next two on April 5.

Ordinance No. _____

**AN ORDINANCE AMENDING CHAPTERS 110 (NATURAL GAS FRANCHISE-
MIDAMERICAN) AND 111 (ELECTRIC FRANCHISE-MIDAMERICAN)
NORWALK MUNICIPAL CODE**

- Section 1. Purpose.
- Section 2. Amendment.
- Section 3. Amendment
- Section 4. Repealer.
- Section 5. Severability Clause.
- Section 6. When Effective.

Be it and it is hereby ordained by the City Council, City of Norwalk, Iowa.

Section 1. Purpose. The purpose of this ordinance is to amend Chapters 110 and 111 of the Norwalk Code by providing for a franchise fee to be imposed for the Mid-America gas and electric franchises

Section 2. Amendment. Section 110.09, Norwalk Code, is hereby amended by deleting the subsection in its entirety and substituting in place thereof, the following:

FRANCHISE FEE: In consideration of the right and franchise granted to MidAmerican Energy Company (the "Company"), a franchise fee is hereby imposed effective _____, 2012 equal to five percent (5%) of the gross receipts minus uncollectable amounts derived by the Company in the City of Norwalk for the delivery and sale of natural gas.

- A. The amount of franchise fee shall be shown separately on the utility bill to each customer. The Company shall remit collected franchise fees to the City on a quarterly basis, within thirty (30) days after the last day of the last revenue month of each quarter of the calendar year (i.e. remitted by April 30, July 31, October 31 and January 31). The City shall not modify the level of the franchise fee more frequently than once in any twelve (12) month period.
- B. The City shall be solely responsible for the proper use of any amounts collected as franchise fees, and shall only use such franchise fees for purposes allowed by

Iowa law and as set forth in the Revenue Purpose Statement previously adopted by the City.

- C. The franchise fee shall be applied to all customers' bills in accordance with Iowa Code Chapters 362.2(f) and 423B.5, except for the City's bills which shall be exempt from the franchise fee.
- D. Upon receipt of a final and unappealable order or approval authorizing annexation or changes in the corporate boundaries of the City, the City Clerk shall provide written notification to the Company of such annexation or change in the corporate boundaries of the City, and the Company shall apply the franchise fee to its customers who are affected by the annexation or change in the corporate boundaries of the City, commencing no more than ninety (90) days after receipt of the written notice and City's verification of the area added to the City.
- E. To fulfill the purpose and intent of this Section, the City and the Company may enter into an agreement addressing the implementation of the collection of the franchise fee, which agreement shall be approved by resolution of the City.
- F. The obligation to collect and remit the fee imposed by this ordinance is modified or repealed if:
 - 1. Any other person is authorized to sell electricity or natural gas at retail to City consumers and the City imposes a franchise fee or its lawful equivalent at zero or a lesser rate than provided in this ordinance, in which case the obligation of Company to collect and remit franchise fee shall be modified to zero or the lesser rate;
 - 2. The City adds additional territory by annexation or consolidation and is unable or unwilling to impose the franchise fee upon all persons selling electricity or natural gas at retail to consumers within the additional territory, in which case the franchise fee imposed on the revenue from sales by Company in the additional territory shall be zero or equal to that of the lowest fee being paid by any other retail seller of electricity or natural gas within the City; or
 - 3. Legislation is enacted by the Iowa General Assembly or the Supreme Court of Iowa issues a final ruling regarding franchise fees or the Iowa Utilities Board issues a final nonappealable order (collectively, "final franchise fee action") that modifies, but does not repeal, the ability of the City to impose a franchise fee or the ability of Company to collect from City customers and remit franchise fees to City. Within a reasonable time of final franchise fee action, the City and Company shall meet to determine whether this ordinance can be revised, and, if

so, how to revise the franchise fee on a continuing basis to meet revised legal requirements. After final franchise fee action and until passage by the City of revisions to the franchise fee ordinance, Company may temporarily discontinue collection and remittance of the franchise fee if in its sole opinion it believes it is required to do so in order to comply with revised legal requirements.

Section 3. Amendment. Section 111.10, Norwalk Code, is hereby amended by deleting the subsection in its entirety and substituting in place thereof, the following;

FRANCHISE FEE: In consideration of the right and franchise granted to MidAmerican Energy Company (the "Company"), a franchise fee is hereby imposed effective _____, 2012 equal to five percent (5%) of the gross receipts minus uncollectable amounts derived by the Company in the City of Norwalk for the delivery and sale of electricity.

- A. The amount of franchise fee shall be shown separately on the utility bill to each customer. The Company shall remit collected franchise fees to the City on a quarterly basis, within thirty (30) days after the last day of the last revenue month of each quarter of the calendar year (i.e. remitted by April 30, July 31, October 31 and January 31). The City shall not modify the level of the franchise fee more frequently than once in any twelve (12) month period.
- B. The City shall be solely responsible for the proper use of any amounts collected as franchise fees, and shall only use such franchise fees for purposes allowed by Iowa law and as set forth in the Revenue Purpose Statement previously adopted by the City.
- C. The franchise fee shall be applied to all customers' bills in accordance with Iowa Code Chapters 362.2(f) and 423B.5, except for the City's bills which shall be exempt from the franchise fee.
- D. Upon receipt of a final and unappealable order or approval authorizing annexation or changes in the corporate boundaries of the City, the City Clerk shall provide written notification to the Company of such annexation or change in the corporate boundaries of the City, and the Company shall apply the franchise fee to its customers who are affected by the annexation or change in the corporate boundaries of the City, commencing no more than ninety (90) days after receipt of the written notice and City's verification of the area added to the City.
- E. To fulfill the purpose and intent of this Section, the City and the Company may enter into an agreement addressing the implementation of the collection of the franchise fee, which agreement shall be approved by resolution of the City.

F. The obligation to collect and remit the fee imposed by this ordinance is modified or repealed if:

1. Any other person is authorized to sell electricity or natural gas at retail to City consumers and the City imposes a franchise fee or its lawful equivalent at zero or a lesser rate than provided in this ordinance, in which case the obligation of Company to collect and remit franchise fee shall be modified to zero or the lesser rate;
2. The City adds additional territory by annexation or consolidation and is unable or unwilling to impose the franchise fee upon all persons selling electricity or natural gas at retail to consumers within the additional territory, in which case the franchise fee imposed on the revenue from sales by Company in the additional territory shall be zero or equal to that of the lowest fee being paid by any other retail seller of electricity or natural gas within the City; or
3. Legislation is enacted by the Iowa General Assembly or the Supreme Court of Iowa issues a final ruling regarding franchise fees or the Iowa Utilities Board issues a final nonappealable order (collectively, "final franchise fee action") that modifies, but does not repeal, the ability of the City to impose a franchise fee or the ability of Company to collect from City customers and remit franchise fees to City. Within a reasonable time of final franchise fee action, the City and Company shall meet to determine whether this ordinance can be revised, and, if so, how to revise the franchise fee on a continuing basis to meet revised legal requirements. After final franchise fee action and until passage by the City of revisions to the franchise fee ordinance, Company may temporarily discontinue collection and remittance of the franchise fee if in its sole opinion it believes it is required to do so in order to comply with revised legal requirements.

Section 4. Repealer. This ordinance will repeal all ordinances or parts of ordinances in conflict with the provisions of this ordinance.

Section 5. Severability Clause. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. When Effective. This Ordinance shall be in full force and effect upon final passage, approval, receipt from the Company, by the office of the City Clerk,

in writing, of the company's acceptance of all the terms and provisions of this ordinance,
and publication as provided by law.

Passed and approved this _____ day of _____, 2012.

Doug Pierce, Mayor

Attest:

Jeff Rosien, City Clerk

Published on _____, 2012.

Consideration and second reading of a proposed Ordinance providing for increased water rates and increased sewer rates, and amending section 13.18.050(B) and 13.04.391 of the Norwalk Municipal Code

Another budgetary topic that is incorporated into the FY12/13 budget is the second reading of an ordinance that increases water and sanitary sewer rates each 10%. No need to repeat the size of the increase and the three year schedule, other then you have the right to reconsider the automatic inflation effort ahead of it going into place next year and the year after.

However, mayor infrastructure costs and purchases will soon be forthcoming in the water arena, just another in a list of capital investments for the future, and the need to have the money on hand or anticipated to allow the City to proceed. I have been asked about doing revenue bonds as compared to concern about using GO capacity should the City want to do more in the future. I told the person yes, but you will pay a higher interest rate and you will certainly need to insure your revenue stream can pass parity testing to satisfy bond holders.

Beyond that it is time to move on this reading.

ORDINANCE NO.
AN ORDINANCE PROVIDING FOR A SERIES OF SCHEDULED INCREASED
WATER RATES AND SEWER RENTAL RATES, AMENDING SECTION 92.02 (1) AND
99.02 (1), NORWALK MUNICIPAL CODE.

- Section 1. Purpose.
Section 2. Water Rates for Service.
Section 3. Sewer Service Rates.
Section 4. Repealer.
Section 5. Severability Clause.
Section 6. When Effective.

Be it ordained by the City Council, City of Norwalk, Iowa:

Section 1. Purpose. The purpose of this ordinance is to amend Sections 92.02(1) and 99.02(1), Norwalk Municipal Code, 2008, by providing for an series of annual increases of water rates for service and an increase in sewer rental rates for the City of Norwalk, Iowa.

Section 2. Water Rates for Service. Section 92.02(1), Norwalk Municipal Code is hereby amended to read as follows:

Usage Charge. \$4.22 for each 1000 gallons used per month. Effective April 1, 2013 the usage charge shall increase to \$4.65 for each 1000 gallons used per month. Effective April 1, 2014 the usage charge shall increase to \$5.11 for each 1000 gallons used per month.

Section 3. Sewer Service Rates. Section 99.02(1), Norwalk Municipal Code is hereby amended to read as follows:

Usage Charge. \$6.87 for each 1000 gallons used per month. Effective April 1, 2013 the usage charge shall increase to \$7.56 for each 1000 gallons used per month. Effective April 1, 2014 the usage charge shall increase to \$8.32 for each 1000 gallons used per month.

Section 4. Repealer. Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Severability Clause. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. When Effective. This ordinance shall be in full force and effect upon final passage, approval, and publication as provided by law.

Passed and approved this _____ day of March, 2012.

Mayor

Attest:

City Clerk

Impacts of Water, Sanitary Rate Increases on Average Consumption and Franchise Fee Impact

Average Consumption=6,000 Gallons

Water 5/1/12	\$0.38	6,000		Increase of \$2.28 per month, \$27.36 per year
Water 5/1/13	\$0.42	6,000		Increase of \$2.52 per month, \$30.24 per year
Water 5/1/14	\$0.46	6,000		Increase of \$2.76 per month, \$33.12 per year
Sanitary 5/1/12	\$0.63	6,000		Increase of \$3.78 per month, \$45.36 per year
Sanitary 5/1/13	\$0.69	6,000		Increase of \$4.14 per month, \$49.68 per year
Sanitary 5/1/14	\$0.76	6,000		Increase of \$4.56 per month, \$54.72 per year

Franchise Fee per Bill estimate

	Gas/Electric	5% each	Per Month	12 Months
\$80			\$8.00	\$96.00
\$90			\$9.00	\$108.00
\$100			\$10.00	\$120.00
\$110			\$11.00	\$132.00
\$120			\$12.00	\$144.00
\$130			\$13.00	\$156.00
\$140			\$14.00	\$168.00
\$150			\$15.00	\$180.00

Recent History 2002-2010 Water/Sewer Revenues

Water				Sewer			
City Action				City Action			
May 1998	3.43			May 1998	3.41		
May 1999	3.48			May 1999	3.51	2.90%	
May 2000	3.55			May 2000	4.01	14.20%	
May 2002	3.30	-7.04%		May 2002	4.25	5.98%	
May 2003	3.30	0.00%		May 2003	4.25	0.00%	
Aug 2004	3.40	3.00%		Aug 2004	4.55	7.05%	
May 2005	3.50	2.90%		May 2005	4.87	7.03%	
May 2006	3.50	0.00%		May 2006	5.13	5.33%	
May 2007	3.66	4.57%		May 2007	5.38	4.87%	
May 2008	3.66	0.00%		May 2008	5.65	5.01%	
June 2009	0.00	0.00%		June 2009	5.93	5.00%	
June 2010	3.84	5.00%		June 2010	6.25	5.40%	
May 2012	4.22	10.00%		May 2012	6.88	10.00%	
May 2013	4.64	* 10.00%		May 2013	7.57	* 10.00%	
May 2014	5.10	* 10.00%		May 2014	8.33	* 10.00%	
Average Per Year				Average Per Year			
* Annual Review							
f:\x\mark\utilities\2-29-12 3Yr H2O-Sanitary Rate Increase Schedule							

Consideration and third reading of a proposed Ordinance approving the position of City Manager for the City of Norwalk

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE POSITION OF "CITY MANAGER"
PURSUANT TO SECTION 372.4 CODE OF IOWA AND PRESCRIBING THE
MANAGERS POWERS AND DUTIES;

- Section 1. PURPOSE.
- Section 2. APPOINTMENT, TERM, AND COMPENSATION.
- Section 3. POWERS AND DUTIES GENERALLY.
- Section 4. COUNCIL REPORTS
- Section 5. REPEALER.
- Section 6. SEVERABILITY CLAUSE.
- Section 7. WHEN EFFECTIVE.

Section 1. PURPOSE. The City of Norwalk currently operates under the Mayor-Council form of government pursuant to Section 372.4 of the Iowa Code. By virtue of the authority conferred by Section 372.4, Code Of Iowa, the office of city manager for the city of Norwalk, Iowa, is hereby created.

Section 2. APPOINTMENT, TERM, AND COMPENSATION: The city manager shall be appointed by a majority of the city council at a regular meeting of such body, and such manager shall hold office at the pleasure of the said body and shall be subject to removal by a majority vote thereof, subject to the terms and conditions of any existing agreement executed between the city council and the manager. The manager shall receive such annual salary as the council shall, from time to time, determine by agreement and/or approve by resolution, and time of payment shall be fixed in accordance with other city employees.

Section 3. POWERS AND DUTIES GENERALLY.. The duties of the manager shall be as follows:

- A. Resolutions, Policies, and Laws: The manager shall see that all resolutions, ordinances, laws, council's and mayor's directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance thereof.
- B. Attend Council Meetings: The manager shall attend all meetings of the city council unless otherwise excused by the mayor or council.
- C. Recommendations: The manager shall recommend to the mayor and council such measures as the manager may deem necessary for good efficient government and the general welfare of the city.
- D. Departmental Administration: The manager shall have general supervision and direction of the administration of the following departments, offices, classifications, and services and be directly responsible to the mayor and council for the proper function of same:
 - 1. City clerk.

2. Public works.
 3. Community and Economic Development.
 4. Finance.
 5. Development services.
 6. Fire department.
 7. Emergency medical services department.
 8. Police department.
 9. Purchasing.
 10. Human resources.
 11. Human services.
 12. Parks and recreation.
 13. Public buildings, land, and custodians thereof under the direct jurisdiction of the council.
 14. Budget preparation and operation.
 15. Contracts and agreements as approved by council.
 16. Administrative policies and procedures.
 17. Library (through the Board of Trustees)
-
18. All others as directed by council.

E. Supervise Contracts: The manager shall supervise the performance of all contracts for work and services to be done for the city except as specified otherwise in said construction or service program involved.

F. Franchises: The manager shall maintain an accounting of all obligations, agreements, commitments, and contractual franchises involving the city and report to the mayor and council any deviations from the exact terms as specified.

G. Purchasing: The manager shall be authorized to direct the purchasing of all commodities, materials, supplies, capital outlay, and services for all departments of the city that have been budgeted and appropriated by a resolution of the council and enforce a program to determine that such purchases are received and are of the quality and character called for in the order.

- H. **Require Taking Of Bids:** The manager shall require the taking of bids on all matters deemed advisable as required by law, or as directed by the council.
- I. **Hire, Suspend, And Discharge Employees:** The manager shall have the power to hire, suspend, or discharge any employee over which the manager has, by this article, authority to appoint or employ. The manager shall have the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney or City Clerk. Subject to provisions of Section 372.4, Code Of Iowa, the Manager appoints the Police Chief as coordinated with the Mayor. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- J. **Emergency Employees:** The manager shall have the authority to employ any person for emergency purposes as deemed necessary for the welfare of the city, but in no case shall said employment be extended after the first council meeting following the date of employment, unless otherwise approved by vote of the council.
- K. **Supervision Of Facilities And Equipment:** The manager shall supervise and manage all buildings, structures, and land under the jurisdiction of the council and shall also be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies, and commodities under the control of employees or departments over which the manager has, by this article, specific authority.
- L. **Personnel Functions:** Unless such power is specifically assigned by law to another appointing authority, the city manager shall have the power to appoint, employ, transfer, promote, reclassify, determine rate of pay, discipline, or discharge all persons to city service. The city manager shall review and comment on personnel actions made by department heads to the city council. The city manager shall develop, administer, and enforce personnel rules and regulations for employees under the authority delegated to the office of city manager.
- M. **Fiscal Advice:** The manager shall keep the mayor and council fully advised of the financial and other conditions of the city.
-
- N. **Annual Budget:** The manager shall prepare and submit to the mayor and council an annual budget in the manner as prescribed by law.
- O. **Business Affairs:** The manager shall see that all business affairs of the city are conducted by modern, approved methods and in an efficient manner.
- P. **Records And Reports:** The manager shall, at all times, be responsible for the maintenance of accurate and current records of all affairs of the departments under the manager's jurisdiction, and in a form acceptable by the council. Copies of such reports shall be available for public inspection.
- Q. **Assist Council Committees:** The manager shall assist the council committees in the execution of their reviews, investigations, reports and assignments, and perform in compliance with

their directives; provided, same is not in conflict with established procedure governed by this article or not in conflict with existing city ordinances.

R. Other: The manager shall perform duties and have direct authority on all matters delegated by council action.

S. Public Relations: Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.

T. Administrative Assistant to Mayor: The manager shall act as administrative assistant to the mayor and perform duties in the coordination of all phases of municipal activity as directed by the mayor and council.

Section 4. COUNCIL REPORTS. The City Manager is directly responsible to the Council for the administration of municipal affairs as directed by that body. All departmental activity requiring the attention of the Council shall be brought before the body by the Manager and all Council involvement in administration initiated by the Council must be through the Manager.

Section 5. REPEALER. Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 7. WHEN EFFECTIVE. This ordinance shall be in full force and effect upon final passage, approval, and publication as provided by law.

Passed and approved this ____ day of _____, 2012.

Mayor

Attest:

City Clerk

Published on _____, 2012.

Resolution approving a Loan Agreement and providing for the sale and issuance of \$1,095,000 General Obligation Emergency Equipment Bonds, Series 2012A, and providing for the levy of taxes to pay the same.

At this point this is a routine issue for the Council to act on. We have been working with PFM, Moodys and our auditors on this bond issue which is required to meet our obligations for joining up with WestCom.

RESOLUTION NO. _____

Resolution approving a Loan Agreement and providing for the sale and issuance of \$1,095,000 General Obligation Emergency Equipment Bonds, Series 2012A, and providing for the levy of taxes to pay the same

WHEREAS, the City of Norwalk (the "City"), in Warren County, State of Iowa, previously issued its \$1,950,000 General Obligation Corporate Purpose Bonds, dated January 1, 2001 (the "2001 Bonds") a portion of which currently remain outstanding in such amounts, maturing on such dates and bearing interest at such rates as follows:

Maturity Date (June 1)	Principal	Rate
2012	\$160,000	4.95%
2013	\$170,000	4.95%
2014	\$180,000	4.95%
2015	\$190,000	5.00%
2016	\$200,000	5.00%
2017	\$215,000	5.05%
2018	\$225,000	5.10%

; and

WHEREAS, pursuant to the resolution (the "2001 Issuance Resolution") authorizing the issuance of the 2001 Bonds, the City reserved the right to call the 2001 Bonds maturing in the years 2014 to 2018 (the "Callable 2001 Bonds") for redemption prior to maturity on any date on or after June 1, 2013, subject to the provisions of the 2001 Issuance Resolution; and

WHEREAS, the City previously issued its \$2,500,000 General Obligation Urban Renewal Fire Station Bonds, Series 2005B, dated June 30, 2005 (the "2005B Bonds") a portion of which currently remain outstanding in such amounts, maturing on such dates and bearing interest at such rates as follows:

Maturity Date (June 1)	Principal	Rate
2012	\$155,000	3.50%
2013	\$165,000	3.60%
2014	\$170,000	3.70%
2015	\$175,000	3.75%
2016	\$185,000	3.85%
2017	\$195,000	3.90%
2018	\$200,000	3.90%
2019	\$210,000	4.00%
2020	\$220,000	4.00%

; and

WHEREAS, pursuant to the resolution (the "2005B Issuance Resolution") authorizing the issuance of the 2005B Bonds, the City reserved the right to call the 2005B Bonds maturing in the years 2014 to 2020 (the "Callable 2005B Bonds") for redemption prior to maturity on any date on or after June 1, 2013, subject to the provisions of the 2005B Issuance Resolution; and

WHEREAS, the City previously issued its \$670,000 General Obligation Urban Renewal Fire Station Bonds, Series 2005C, dated November 3, 2005 (the "2005C Bonds") a portion of which currently remain outstanding in such amounts, maturing on such dates and bearing interest at such rates as follows:

Maturity Date (June 1)	Principal	Rate
2012	\$45,000	3.80%
2013	\$45,000	3.80%
2014	\$45,000	3.90%
2015	\$50,000	4.00%
2016	\$50,000	4.05%
2017	\$50,000	4.10%
2018	\$55,000	4.15%
2019	\$55,000	4.20%
2020	\$60,000	4.25%

; and

WHEREAS, pursuant to the resolution (the "2005C Issuance Resolution") authorizing the issuance of the 2005C Bonds, the City reserved the right to call the 2005C Bonds maturing in the years 2014 to 2020 (the "Callable 2005C Bonds") for redemption prior to maturity on any date on or after June 1, 2013, subject to the provisions of the 2005C Issuance Resolution; and

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City has proposed to enter into loan agreements (the "Loan Agreements") in a principal amount not to exceed \$3,950,000 for the essential corporate purpose of paying the cost, to that extent, of (i) acquiring emergency communications and dispatch equipment (the "Acquisition") and (ii) advance refunding (the "Refundings") the Callable 2001 Bonds, the Callable 2005B Bonds and the Callable 2005C Bonds, and pursuant to law and notice duly published, the City has held a public hearing on such proposal on February 16, 2012; and

WHEREAS, the City Council has taken action to divide its authority to enter into the Loan Agreements into two issues as follows: (i) the City will enter into a Series 2012A Loan Agreement (the "Loan Agreement") for the purpose of paying costs of the Acquisition and issue General Obligation Emergency Equipment Bonds, Series 2012A in a principal amount not to exceed \$1,100,000 thereunder; and (ii) the City will enter into a Series 2012B Loan Agreement for the purpose of carrying out the refundings and issue General Obligation Refunding Bonds, Series 2012B in a principal amount not to exceed \$2,850,000 thereunder; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of \$1,095,000 General Obligation Emergency Equipment Bonds, Series 2012A

(the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City Council has approved the P.O.S. and has authorized its use by Public Financial Management, Inc., the City's Financial Advisor; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds were received and canvassed on behalf of the City and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of _____ (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the City; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Norwalk, as follows:

Section 1. The form of agreement of sale of the Bonds with the Purchaser is hereby approved, and the Mayor and City Clerk are hereby authorized to accept and execute the same for and on behalf of the City.

Section 2. The City shall enter into the Loan Agreement with the Purchaser, in substantially the form as has been placed on file with the Council, providing for a loan to the City in the principal amount of \$1,095,000, for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 3. The bid of the Purchaser referred to in the preamble hereof is hereby accepted, and the Bonds in the aggregate principal amount of \$1,095,000, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

Date	Principal	Interest Rate	Date	Principal	Interest Rate
2014	\$115,000	_____ %	2019	\$125,000	_____ %
2015	\$115,000	_____ %	2020	\$125,000	_____ %
2016	\$120,000	_____ %	2021	\$125,000	_____ %
2017	\$120,000	_____ %	2022	\$130,000	_____ %
2018	\$120,000	_____ %			

are hereby awarded and authorized to be issued to the Purchaser at the price specified in such bid, together with accrued interest.

Section 4. The Bonds shall be in the denomination of \$5,000 each, or any integral multiple thereof, shall be dated April 4, 2012, and shall become due and payable and bear interest as set forth in Section 3 hereof.

Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent". The City shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City; and the Registrar/Paying Agent Agreement is hereby approved.

The City reserves the right to optionally prepay part or all of the principal of the Bonds maturing in the years 2021 to 2022, inclusive, prior to maturity on June 1, 2020, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2012. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid by check or draft mailed to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The City hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the City for the full and prompt payment of the principal of and interest on the Bonds.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be

valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar, and after such registration payment of the principal thereof and interest thereon shall be made to the registered owners, their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect

such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of Bonds shall be substantially as follows:

Resolution approving a Loan Agreement, providing for the sale and issuance of \$2,835,000 General Obligation Refunding Bonds, Series 2012B, approving an Escrow Agreement in connection with the issuance and providing for the levy of taxes to pay the same

This effort is designed to refund bonds, combining several amortizations into one schedule which will do two things. The two items include an easier read on future debt requirements which has become an annual item for the City, and two lower interest costs which will save the City money over the duration of this refinancing bond issue. Two years ago one of our major bond issues was a refinancing of several bond issues, and this is a good practice at this point. Moving ahead is the logical thing to do at this time.

RESOLUTION NO. _____

Resolution approving a Loan Agreement and providing for the sale and issuance of \$2,835,000 General Obligation Refunding Bonds, Series 2012B, and providing for the levy of taxes to pay the same

WHEREAS, the City of Norwalk (the "City"), in Warren County, State of Iowa, previously issued its \$1,950,000 General Obligation Corporate Purpose Bonds, dated January 1, 2001 (the "2001 Bonds") a portion of which currently remain outstanding in such amounts, maturing on such dates and bearing interest at such rates as follows:

Maturity Date (June 1)	Principal	Rate
2012	\$160,000	4.95%
2013	\$170,000	4.95%
2014	\$180,000	4.95%
2015	\$190,000	5.00%
2016	\$200,000	5.00%
2017	\$215,000	5.05%
2018	\$225,000	5.10%

; and

WHEREAS, pursuant to the resolution (the "2001 Issuance Resolution") authorizing the issuance of the 2001 Bonds, the City reserved the right to call the 2001 Bonds maturing in the years 2014 to 2018 (the "Callable 2001 Bonds") for redemption prior to maturity on any date on or after June 1, 2013, subject to the provisions of the 2001 Issuance Resolution; and

WHEREAS, the City previously issued its \$2,500,000 General Obligation Urban Renewal Fire Station Bonds, Series 2005B, dated June 30, 2005 (the "2005B Bonds") a portion of which currently remain outstanding in such amounts, maturing on such dates and bearing interest at such rates as follows:

Maturity Date (June 1)	Principal	Rate
2012	\$155,000	3.50%
2013	\$165,000	3.60%
2014	\$170,000	3.70%
2015	\$175,000	3.75%
2016	\$185,000	3.85%
2017	\$195,000	3.90%
2018	\$200,000	3.90%
2019	\$210,000	4.00%
2020	\$220,000	4.00%

; and

WHEREAS, pursuant to the resolution (the "2005B Issuance Resolution") authorizing the issuance of the 2005B Bonds, the City reserved the right to call the 2005B Bonds maturing in the years 2014 to 2020 (the "Callable 2005B Bonds") for redemption prior to maturity on any date on or after June 1, 2013, subject to the provisions of the 2005B Issuance Resolution; and

WHEREAS, the City previously issued its \$670,000 General Obligation Urban Renewal Fire Station Bonds, Series 2005C, dated November 3, 2005 (the "2005C Bonds") a portion of which currently remain outstanding in such amounts, maturing on such dates and bearing interest at such rates as follows:

Maturity Date (June 1)	Principal	Rate
2012	\$45,000	3.80%
2013	\$45,000	3.80%
2014	\$45,000	3.90%
2015	\$50,000	4.00%
2016	\$50,000	4.05%
2017	\$50,000	4.10%
2018	\$55,000	4.15%
2019	\$55,000	4.20%
2020	\$60,000	4.25%

; and

WHEREAS, pursuant to the resolution (the "2005C Issuance Resolution") authorizing the issuance of the 2005C Bonds, the City reserved the right to call the 2005C Bonds maturing in the years 2014 to 2020 (the "Callable 2005C Bonds") for redemption prior to maturity on any date on or after June 1, 2013, subject to the provisions of the 2005C Issuance Resolution; and

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City has proposed to enter into loan agreements (the "Loan Agreements") in a principal amount not to exceed \$3,950,000 for the essential corporate purpose of paying the cost, to that extent, of (i) acquiring emergency communications and dispatch equipment (the "Acquisition") and (ii) advance refunding (the "Refundings") the Callable 2001 Bonds, the Callable 2005B Bonds and the Callable 2005C Bonds, and pursuant to law and notice duly published, the City has held a public hearing on such proposal on February 16, 2012; and

WHEREAS, the City Council has taken action to divide its authority to enter into the Loan Agreements into two issues as follows: (i) the City will enter into a Series 2012A Loan Agreement for the purpose of paying costs of the Acquisition and issue General Obligation Emergency Equipment Bonds, Series 2012A in a principal amount not to exceed \$1,100,000 thereunder; and (ii) the City will enter into a Series 2012B Loan Agreement (the "Loan Agreement") for the purpose of carrying out the Refundings and issue General Obligation Refunding Bonds, Series 2012B in a principal amount not to exceed \$2,850,000 thereunder; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of \$2,835,000 General Obligation Emergency Equipment Bonds, Series 2012B

(the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City Council has approved the P.O.S. and has authorized its use by Public Financial Management, Inc., the City's Financial Advisor; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds were received and canvassed on behalf of the City and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of _____ (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the City; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and authorize the issuance of the Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Norwalk, as follows:

Section 1. The form of agreement of sale of the Bonds with the Purchaser is hereby approved, and the Mayor and City Clerk are hereby authorized to accept and execute the same for and on behalf of the City.

Section 2. The City shall enter into the Loan Agreement with the Purchaser, in substantially the form as has been placed on file with the Council, providing for a loan to the City in the principal amount of \$2,835,000, for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 3. The bid of the Purchaser referred to in the preamble hereof is hereby accepted, and the Bonds in the aggregate principal amount of \$2,835,000, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

Date	Principal	Interest Rate	Date	Principal	Interest Rate
2014	\$445,000	_____%	2018	\$475,000	_____%
2015	\$455,000	_____%	2019	\$260,000	_____%
2016	\$460,000	_____%	2020	\$270,000	_____%
2017	\$470,000	_____%			

are hereby awarded and authorized to be issued to the Purchaser at the price specified in such bid, together with accrued interest.

Section 4. The Bonds shall be in the denomination of \$5,000 each, or any integral multiple thereof, shall be dated April 4, 2012, and shall become due and payable and bear interest as set forth in Section 3 hereof.

Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent". The City shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City; and the Registrar/Paying Agent Agreement is hereby approved.

The Bonds are not subject to redemption prior to maturity.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2012. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid by check or draft mailed to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The City hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the City for the full and prompt payment of the principal of and interest on the Bonds.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar, and after such registration payment of the principal thereof and interest thereon shall be made to the registered owners, their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of Bonds shall be substantially as follows:

Resolution ordering construction of certain public improvements, approving preliminary plans, fixing a date for hearing thereon and taking of bids therefore for improvements known as the City of Norwalk Fiber Optic Installation project.

I am sure there will be a report or comments from Tim or Chris on this topic.

RESOLUTION NO. _____

**RESOLUTION ORDERING CONSTRUCTION
OF CERTAIN PUBLIC IMPROVEMENTS,
APPROVING PRELIMINARY PLANS, AND FIXING A DATE FOR
HEARING THEREON AND TAKING OF BIDS THEREFOR FOR
IMPROVEMENTS KNOWN AS THE
CITY OF NORWALK FIBER OPTIC INSTALLATION PROJECT**

WHEREAS, it is deemed advisable and necessary to construct certain public improvements described in general as the Fiber Optic Installation project, and has caused to be prepared preliminary plans, specifications and form of contract, together with estimate of cost, on file in the office of the Clerk for public inspection, for the construction of said public improvements, and said preliminary plans, specifications and form of contract are deemed suitable for the making of said public improvements; and

WHEREAS, before said preliminary plans, specifications, form of contract and estimate of cost may be adopted, and contract for the construction of the public improvements entered into, it is necessary, pursuant to Division VI of Chapter 384 of the Code of Iowa, to hold a public hearing and to advertise for bids,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

Section 1. That it is hereby determined that it is necessary and advisable to construct certain public improvements described in general as the CITY OF NORWALK FIBER OPTIC INSTALLATION PROJECT, in the manner set forth in the preliminary plans and specifications and form of contract, above referred to, the cost thereof to be paid in accordance with the provisions as set out in the published Notice of Hearing and Letting, said public improvements being more generally described as follows:

All labor, materials, and equipment necessary for the construction of the proposed improvements as follows:

Installation of Fiber Optic Cable and all Necessary Connections

Section 2. That the amount of bid security to accompany each bid shall be in an amount which shall conform to the provisions of the notice to bidders approved as a part of said specifications; and,

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice to bidders once in the Warren County News, a legal newspaper, printed wholly in the

English language, published at least once weekly and having general circulation in this City. Publication shall be not less than four clear days nor more than twenty days prior to April 11, 2012 meeting at the Norwalk City Hall (705 North Ave.), which is hereby fixed as the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on said date; and,

BE IT FURTHER RESOLVED, that bids shall be received and opened at a public meeting as provided in the public notice and the results of said bids shall be considered at a meeting of this Council on April 19, 2012, at 6:30 p.m., at the Norwalk City Hall (705 North Ave.); and,

BE IT FURTHER RESOLVED, that the City Clerk is hereby designated as the authority to receive and open said bids on behalf of the City of Norwalk, Iowa; and,

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice of hearing once in said newspaper, said publication to be not less than four clear days nor more than twenty days prior to the date hereinafter fixed as the date for a public hearing on the final plans, specifications, form of contract and estimate of costs for said project, said hearing to be at 6:30 o'clock p.m. on April 19, 2012.

PASSED and ADOPTED this ___th day of March, 2012.

Doug Pierce, Mayor

ATTEST:

Jeff Rosien, City Clerk

Discussion / approval of the purchase of a hydraulic chair lift for the Norwalk Aquatic Center.

This item is an unplanned, unbudgeted item that brings the City into compliance with the National Americans with Disabilities Act.

Nancy Kuehl has particulars, and unfortunately I believe it is important to act on and I was willing to go ahead and order but it was also noted it is important to keep you abreast of this action and appropriate the funds.

The only choice is to not do it I believe and not risk any fines or penalties; it is so very much in that regard as our narrow banding efforts and costs in communications, a federal unfunded mandate, that now gets passed down to individual entities. Enough said there.



March 12, 2012

Memo to: Norwalk City Council

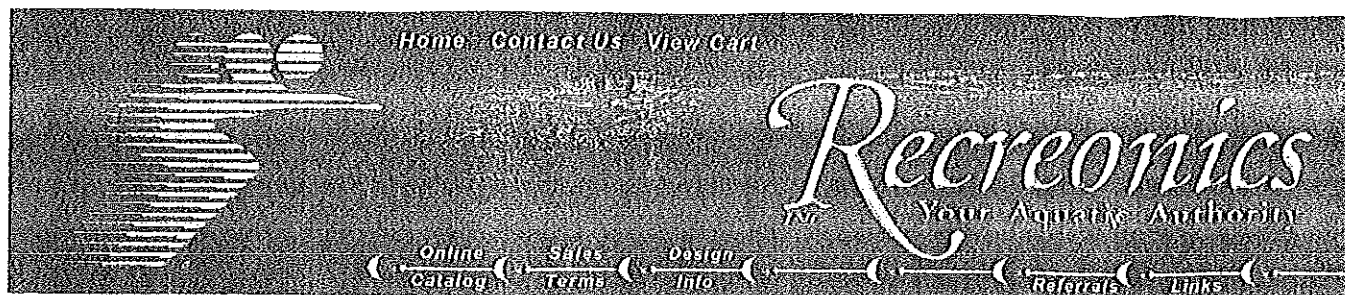
Memo from: Nancy Kuehl, Parks and Rec Director

The Department of Justice is requiring swimming pools to provide for handicap accessibility. Pools with 300 lineal feet of pool wall must provide at least one accessible means of entry. Means must be pool lift or sloped entry. We do have zero entry but must have stainless steel handrails to assist in a person's entry. I think the most cost effective way to proceed would be to acquire a handicap pool lift to gain entry to our pool.

The piece of equipment I have looked at is a surface mounted and battery operated model with a cover. The most inexpensive model that I investigated is \$4,645 from Spin Life.

If we do not comply with this we could be fined from \$40 up to \$100,000. It would be my recommendation to purchase the Aqua Creek Pro Pool lift and have it installed as soon as possible. The new ruling goes into effect on March 15, 2012. By the summer we need to have this equipment installed. This was not a budgeted item but can be absorbed into the present budget year.

Nancy Kuehl



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2. Find your item.
3. Use your "Shopping Cart" guide.
4. Provide your shipping instructions as requested.
5. "Sit Back" - your order is on its way!

ADA Final Guidelines for Swimming Pools, Wading Pools and Spas and Related Components

Types of Facilities:	
242.2 Swimming Pools Scoping	At least two accessible means of entry must be provided for swimming pools. Primary means must be a pool lift that is capable of being independently operated by a person with a disability or sloped entry. Secondary means may be pool lift, sloped entry, transfer wall, transfer system, or pool stairs.
Exception-pools less than 300 lineal feet	Swimming pools with less than 300 lineal feet of pool wall must provide at least one accessible means of entry. Means must be pool lift or sloped entry.
Exception-pools with limited access	Wave action pools, leisure rivers, sand bottom pools, and other pools where user access is limited to one area must provide at least one accessible means of entry. Means must be pool lift, sloped entry, or transfer system.
Exception-catch pools	Catch pools are bodies of water where water slides drop users into the water. An accessible means of entry is not required but the pool must be served by accessible route that connects to the pool edge.
242.3 Wading Pools Scoping	Wading pools must provide at least one sloped entry.
242.4 Spas Scoping	Spas must provide at least one accessible means of entry. Means must be pool lift, transfer wall, or transfer system. Footrests are not required on pool lifts provided at spas but are encouraged, especially on larger spas where the water depth is 34" or more or where there is sufficient space.
Exception-spas in cluster	Where spas are provided in cluster, at least 5% in each cluster, or at least one spa must be accessible.
Types of Accessible Means of Entry:	
1009.2 Pool Lifts	Lift must be located where water level does not exceed 48 inches. Where entire pool depth is greater than 48 inches, requirement does not apply. Where multiple pool lift locations are provided, only one is required to be located where water level does not exceed 48 inches.
Lift Location	
Seat Location	In raised (load) position, centerline of seat must be located over deck and 16 inches minimum from pool edge. Deck surface between centerline of seat and pool edge must have slope not greater than 1:48.

Clear Deck Space	<p>Seat backs, headrests, seat belts and additional leg support are not required but encouraged to allow the lift to be used independently by more users with disabilities and to enhance accessibility to a wider variety of people with disabilities.</p> <p>On side of seat opposite water, clear deck space must be provided parallel with seat. Space must be 36 inches wide minimum and extend forward 48 inches minimum from a line located 12 inches behind rear edge of seat, to enable a person to get close enough to the lift seat to easily transfer. Deck surface must have slope not greater than 1:48.</p>
Seat Height	Lift seat must be designed to stop at 16 inches minimum to 19 inches maximum measured from deck to seat top when in raised position.
Seat Width	Seat width must be 16 inches minimum.
Footrests and Armrests	Footrests must be provided and move with seat. Footrests are not required on lifts provided in spas. If provided, armrests positioned opposite water must be removable or fold clear of seat when seat in raised position.
Operation	Lift must be capable of unassisted operation from deck and water levels, although assistance can be provided if needed. Controls and operating mechanisms must be unobstructed when lift in use. The operating controls must not require tight grasping, pinching or twisting of the wrist. Controls may not require more than five pounds of pressure to operate.
Submerged Depth	Lift must be designed so that seat submerges to water depth of 18 inches minimum below stationary water level to ensure buoyancy to make it easier to enter or exit the lift.
Lifting Capacity	<p>Single person lifts must have minimum weight capacity of 300 lbs. and be capable of sustaining static load at least one and half times rated load.</p> <p>Pool lifts should be provided that meet the needs of the population they serve. Providing a lift with a weight capacity greater than 300 lbs. may be advisable.</p>
1009.3 Sloped Entries Accessible Route	<p>In general, sloped entries must comply with accessible route provisions with a minimum clear width of 36", a maximum slope of 1:12 and be slip resistant.</p> <p>Personal wheelchairs may not be appropriate for submerging in water as batteries, motors and electrical components can be damaged by submersion and may contaminate the pool water. Providing an aquatic wheelchair made of non-corrosive materials and designed for water use can help avoid damage to personal wheelchairs and other mobility aids.</p>
Submerged Depth	Sloped entries must extend to depth of 24 inches minimum to 30 inches maximum below stationary water level to ensure buoyancy. At least one landing must be located 24 inches to 30 inches maximum below stationary water level. In wading pools, sloped entry and landings must extend to deepest part of pool. Per Section 405.7, ramps shall have landings at the top and the bottom of each ramp run and landing clear width shall be at

Handrails	<p>least as wide as the ramp run and 60" in clear length.</p> <p>Handrails must be provided on both sides of sloped entry. Clear width between handrails must be 33 inches minimum and 38 inches maximum. Handrail extensions are required at the top landing but not at bottom landing. Clear width between handrails does not apply to wave action pools, leisure rivers, sand bottom pools, and other pools where user access is limited to one area. Handrail requirements do not apply to wading pools. Per Section 505, handrail height must be between 34" and 38" to the top of the gripping surface. Gripping surfaces with a circular cross section must have an outside diameter of 1 1/4" minimum to 2" maximum. Gripping surface must also be continuous along the length of the rail and not obstructed along the top or sides, free of sharp or abrasive elements with rounded edges and non-rotating. Clearance between gripping surfaces and adjacent surfaces must be least 1 1/2".</p>
1009.4 Transfer Walls Clear Deck Space	A transfer wall runs along an accessible route that allows a person to transfer on from a mobility device to the wall and then into the pool. Clear deck space must be provided at base of transfer wall. Space must be 60 inches minimum by 60 inches minimum. Space must have slope not greater than 1:48. Where one grab bar is provided, space must be centered on grab bar. Where two grab bars provided, space must be centered on the clearance between bars.
Height	Transfer wall height must be 16 inches minimum to 19 inches maximum measured from deck.
Wall Depth and Length	Transfer wall width must be 12 inches minimum to 16 inches maximum to provide enough space for a person to sit comfortably on the wall and pivot to access the pool. Transfer wall length must be 60 inches minimum and centered on clear deck space.
Surface	Transfer wall surfaces must have rounded edges and not be sharp to prevent injury.
Grab Bars	At least one grab bar must be provided on transfer wall. Grab bars must be perpendicular to pool wall and extend full depth of transfer wall. Top of gripping surface must be 4 inches minimum and 6 inches maximum above transfer wall. Where one grab bar is provided, clearance must be 24 inches minimum on both sides of grab bar. Where two grab bars are provided, clearance must be 24 inches minimum between grab bars. Per Section 609, grab bars with a circular cross section (as they apply to swimming pools) must have an outside diameter of 1 1/4" minimum to 2" maximum. Gripping surface shall be free of sharp or abrasive elements with rounded edges and non-rotating.
1009.5 Transfer Systems Transfer Platform	A transfer system consists of a transfer platform that users to transfer from a mobility device and a series of transfer steps that descend into the water. Transfer platform must be provided at head of transfer system. Platform must be 19 inches minimum clear depth by 24 inches minimum clear width to provide the person transferring enough room to maintain balance and enough space to maneuver on top of the platform.

Clear Deck Space	Clear deck space must be provided at base of transfer platform. Space must be 60 inches minimum by 60 inches minimum. Space must have slope not greater than 1:48. Space must be centered along 24 inch minimum unobstructed side of platform.
Height	Transfer platform height must be 16 inches minimum to 19 inches maximum measured from deck.
Transfer Steps	Transfer step height must be 8 inches maximum, although shorter heights are recommended. Tread clear depth must be 14 inches minimum and 17 inches maximum; and tread clear width must be 24 inches minimum. Transfer steps must extend 18 inches minimum below the stationary water level.
Surface	Transfer system surfaces must have rounded edges and not be sharp.
Grab Bars	At least one grab bar on each transfer step and transfer platform, or continuous grab bar serving each transfer step and transfer platform must be provided and must not obstruct transfer onto the platform. Where a grab bar is provided with each step, the top of gripping surface must be 4 inches minimum and 6 inches maximum above each step and transfer platform. Where continuous grab bar provided, top of gripping surface must be 4 inches minimum and 6 inches maximum above step nosing and transfer platform. Grab bars must be located on at least one side of transfer system. Grab bar located at transfer platform must not obstruct transfer. Per Section 609, grab bars with a circular cross section (as they apply to swimming pools) must have an outside diameter of 1 1/4" minimum to 2" maximum. Gripping surface shall be free of sharp or abrasive elements with rounded edges and non-rotating.
1009.6 Pool Stairs General	Accessible pool stairs are designed to provide assistance with balance and support in a standing position when entering or exiting a pool. Per Section 504, stairs must have steps that all have uniform riser height, uniform tread width of not less than 11" measured from riser to riser and a slope of less than 1:48. The radius of curvature at the leading edge of each tread shall be a maximum of 1/2". Open risers are not permitted. Stairs and landings subject to wet conditions shall be designed to prevent the accumulation of water.
Handrails	Width between handrails must be 20 inches minimum and 24 inches maximum and is intended to provide support to persons with disabilities who are ambulatory. Handrail extensions are not required at bottom landing serving pool stairs. Per Section 505, handrail height must be between 34" and 38" to the top of the gripping surface. Gripping surface with a circular cross section must have an outside diameter of 1 1/4" minimum to 2" maximum. Gripping surface must also be continuous along the length of the rail and not obstructed along the top or sides, free of sharp or abrasive elements with rounded edges and non-rotating. Clearance between gripping surfaces and adjacent surfaces must be least 1 1/2".

1008.2.3 Water Play Components General	Where water play components provided, play area requirements and accessible route requirements apply
Exception-Cross Slope, Running Slope, Surface Requirements	Where surface of accessible route, clear floor or ground spaces, and maneuvering spaces serving water play components is submerged in water, play area and accessible route requirements for cross slope, running slope, and surface requirements do not apply.
Exception-Transfer Systems	Transfer systems permitted to be used in lieu of ramps to connect elevated play components.

Source: ADA and ABA Accessibility Guidelines for Buildings and Facilities.

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To: nancykuehl@ci.norwalk.ia.us
Subject: SpinLife Quote Number 24790460

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Quote valid until 05/07/2012

Prepared by: Ronnie Rohlfing Phone: 1-800-850-0335

Email: ronnie.rohlfing@spinlife.com

Quote for:

Nancy Kuehl

110 Chatham Ave

Norwalk, IA 50211

Phone: 515-333-7170

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Quote Valid Until: 05/07/2012

#	Product Description	Base Price	Options / Discounts	Total Price
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1	Aqua Creek The Pro Pool Lift Power Pool Lifts	\$4,645.00	\$0.00	\$4,645.00
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Base Price - \$4,595.00
 (Model) The Pro Pool Lift
 (Accessories) Extended Reach Anchor - \$50.00

Item Total: \$4,645.00

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